STATE OF NEW HAMPSHIRE
Department of Environmental Services
Air Resources Division

Title V Operating Permit

Permit No: **TV-OP-008**
Date Issued: **November 5, 1998, Amended November 15, 1999**

This certifies that:
Bridgewater Power Company, L.P.
P.O. Box 678
Ashland, NH 03217

has been granted a Title V Operating Permit for the following facility and location:
Bridgewater Power Company
Routes 3 and 25
Bridgewater, NH
Grafton County
AFS No. 3300900021

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services Air Resources Division (DES) on **June 14, 1996** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:
Michael O'Leary
Plant Manager
(603) 968-9602
Technical Contact:
Michael O'Leary
Plant Manager
(603) 968-9602

This Permit is issued by the DES pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of Code of the Federal Regulations 40 Part 70.

This Title V Operating Permit shall expire on **November 30, 2003**.

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

For the New Hampshire Department of Environmental Services, Air Resource Division

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Director, Air Resources Division

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Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations:

Bridgewater Power Company (Bridgewater) is located in on Routes 3 and 25 in Bridgewater, New Hampshire. The primary fuel source for the 15 megawatt (MW) net output electric generating station is whole tree wood chips. No. 2 fuel oil is used for start up and flame stabilization.

II. Permitted Activities:

In accordance with all of the provisions of the New Hampshire Rules Governing the Control of Air Pollution (effective date 12/31/96) and as revised thereafter, the permittee is authorized to operate the devices and or processes identified in Sections III, IV, V and VI within the terms and conditions specified in this Permit.

III. Significant Activities Identification and Stack Criteria:

A. Significant Activity Identification

The activities identified in the following table (Table 1) are subject to and regulated by this Title V Operating Permit:

Table 1 - Significant Activity Identification

Emission Unit Number (EU#)	Description of Emission Unit	Exhaust Stack Identification	Emissions Unit Maximum Design Capacity
EU1 - Boiler	Treebrook Wood/Oil-fired Boiler	Stack #1	Maximum Firing Rate of 250 mmBTU/hr with wood Maximum Firing Rate of 50 mmBTU/hr with #2 oil
EU2 -Cooling Pond	Circulation Water Cooling Pond	Cooling Pond	Drift Factor (12 cycles) = 0.00001636 (16 cycles) = 0.000012 (20 cycles) = 0.000009474 Circulation Rate = 15,800 gpm
EU3 - EG	Caterpillar Emergency Diesel Generator	Stack #3	225 hp operating less than 500 hours per year

1. Based on equipment design, the maximum operating rate of the EU1 - Boiler shall be limited to a total of 250 million BTU per hour (mmBTU/hr) gross heat input. This is the equivalent of 160,000 pounds per hour (lbs/hr) of steam production as averaged over any consecutive 24-hour period at 850 degrees F and 695 PSIG assuming a boiler efficiency of 68% and boiler feedwater temperature of 340^{o}F.

2. Based on facility operations, fuel fed to the EU1 - Boiler shall consist of any of the following:

III. Significant Activities Identification and Stack Criteria (continued):

a. Whole tree wood chips at approximately 50% moisture (approximately 8.5 mmBTU/ton).

b. Whole tree wood chips at approximately 8.5 mmBTU/ton and #2 fuel oil or specification used oil[1] at maximum 0.4% sulfur by weight.

c. Clean processed wood fuel[2] (approximately 8.5 mmBTU/ton to 13.5 mmBTU/ton) and #2 fuel oil or specification used oil at maximum 0.4% sulfur by weight.

d. Clean processed wood fuel and whole tree wood chips at approximately 50% moisture.

e. Clean processed wood fuel and whole tree wood chips at approximately 50% moisture and #2 fuel oil or specification used oil at maximum 0.4% sulfur by weight.

f. No. 2 fuel oil at maximum 0.4% sulfur by weight.

g. Clean processed wood fuel (approximately 8.5 mmBTU/ton to 13.5 mmBTU/ton).

h. Specification used oil at maximum 0.4% sulfur by weight.

i. A combination of No. 2 fuel oil and specification used oil at maximum 0.4% sulfur by weight.

3. Based on equipment design and 365 operating days per year, the maximum wood consumption by the EU1 - Boiler shall be limited to 251,000 tons wet basis of whole tree wood chips at approximately 50% moisture during any consecutive twelve month period.

4. To allow for an exemption of Bridgewater from the NO_x emission limitation in 40 CFR 60, Subpart Db, the maximum consumption of #2 fuel oil and specification used oil combined by the EU1 - Boiler at maximum 0.4% sulfur by weight shall be limited to 1,564,000 gallons during any consecutive twelve month period with no more than 128,600 gallons used during any consecutive 30-day period. The maximum gross heat input rate of #2 fuel oil or specification used oil at maximum 0.4% sulfur by weight to the EU1 - Boiler shall be limited to 25 mmBTU/hr on a 30-day average. This is equivalent to 179 gallons per hour on a 30-day average of #2 fuel oil or specification used oil based on a heating value of 140,000 BTUs/gallon. As described in Section VII.B., the maximum hourly oil usage shall be limited to 345 gallons per hour.

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1 Specification used oil shall be meet the requirements described in Section VII of this permit.

2 Clean processed wood fuel is considered to be fuel that exhibits fuel characteristics equivalent to “whole tree wood chips” and “sawdust” with respect to the ultimate and proximate analysis of the fuel.

III. Significant Activities Identification and Stack Criteria (continued):

B. Stack Criteria

The following stack for the above listed significant devices at this facility shall discharge vertically without obstruction (including rain caps) and meet the following criteria in accordance with the state-only air pollution dispersion modeling requirements specified in Env-A 606.

Table 2 - Stack Criteria

Stack #	Minimum Stack Height (Feet)	Maximum Stack Diameter (Feet)
Stack #1	196.5	6.0
Stack #2	32	1.17
Stack #3	10	0.33

Preauthorized changes to the state-only requirements pertaining to stack parameters (set forth in this permit) shall be permitted only when an air quality impact analysis meeting the criteria of Part Env-A 606 is performed either by the facility or by the DES (if requested by the facility in writing) in accordance with the "NHARD Policy and Procedure for Air Quality Impact Modeling". All air modeling data shall be kept on file at the facility for review by the DES upon request.

IV. Insignificant Activities Identification:

All activities at this facility that meet the criteria identified in the New Hampshire Rules Governing the Control of Air Pollution Part Env-A 609.03(g), shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXV of this Title V Operating Permit.

V. Exempt Activities Identification:

All activities identified in the New Hampshire Rules Governing the Control of Air Pollution Part Env-A 609.03(c) shall be considered exempt activities and shall not be subject to or regulated by this Title V Operating Permit.

VI. Pollution Control Equipment Identification:

The devices and/or processes identified in Table 3 below are considered pollution control equipment for the identified emissions unit.

VI. Pollution Control Equipment Identification (continued):

Table 3 - Pollution Control Equipment Identification			
Pollution Control Equipment Number (PC#)	**Description of Equipment**	**EU#**	**Stack#**
PC1-Multiclone	Multiclone - primary particulate control for the EU1 - Boiler	EU1-Boiler	Stack #1
PC2-GBF	Gravel Bed Filter - secondary particulate control for the EU1 - Boiler	EU1-Boiler	Stack #1
PC3-Bag House	Dry Dust Collector - final particulate control for the GBF ambient countercurrent air flow	EU1-Boiler	Stack #2

A. Based on the AP-42 uncontrolled particulate matter (PM) emissions of 8.8 lb/ton, the combined minimum efficiency of the PM control equipment (PC1 through PC3) shall be at least 90.4% to meet the applicable permit limit for PM of 0.10 lb/mmBTU.

B. All equipment, facilities and systems installed and used to achieve compliance with the terms and conditions of this permit shall at all times be maintained in good working order and shall be operated as efficiently as possible so as to minimize air pollutant emissions and meet all applicable air pollutant emission limits. These controls shall be fully operational upon facility startup and shall not be bypassed during startup, operation or shutdown of the steam generating unit.

C. The pollution control equipment shall be maintained regularly, in accordance with the manufacturer's Operation and Maintenance (O&M) manual and based on the schedules as described in Sections VIII.A. and X.A.

VII. Alternative Operating Scenarios:

Bridgewater requested the alternative operating scenario of burning used oil in their Title V application. Bridgewater proposed to burn used oil in the EU1-Boiler as an auxiliary fuel. The used oil shall meet the criteria for specification used oil as described in Waste Management Rules Env-Wm 807.02 and shown in Table 4 below:

A. The oil shall not be mixed with hazardous waste; and

B. The oil shall meet all of the standards in the following table and shall not otherwise exhibit any of the hazardous waste characteristics specified in Env-Wm 403.

VII. Alternative Operating Scenarios (continued):

Table 4 - Specification Used Oil Criteria	
Constituent/Property	Allowable Level (ppm, dry weight)
Arsenic	5.0 ppm maximum
Cadmium	2.0 ppm maximum
Chromium	10 ppm maximum
Lead[3]	60 ppm maximum
PCBs	Less than 2 ppm
Total Halogens	1,000 ppm maximum
Flash Point	100 degrees F minimum

Bridgewater will burn the specification used oil under the same conditions as the No. 2 fuel oil. The sulfur content shall be limited to 0.4% by weight and the gross heat input of used oil shall be limited to 25 mmBTU/hr (approximately 180 gallons per hour) on an average annual basis.

Based on DES modeling results, Bridgewater shall not use more than 345 gallons per hour of specification used oil for a period not to exceed 22 hours during startup operations. The typical startup fuel requirements are 100 gallons/hour for 6-12 hours. The 100 gallons/hour rate may be used 24 hours/day until the monthly fuel limit is reached. The limits described in Section III.A.4 shall also apply during periods of startup.

Bridgewater shall monitor compliance with the used oil specifications by requiring the used oil vendor to provide with each delivery, a fuel analysis certifying compliance with Env-Wm 807.02 and the sulfur content of 0.4% by weight. This data shall be retained at the facility in accordance with record keeping requirements described in Section X.D. of this permit.

VIII. Applicable Operational and Emission Limitations:

Bridgewater is subject to the following operational and emission limitations as contained in this permit.

A. Operational Limitations

Based on equipment design, the maximum operating rate of the EU1-Boiler shall be limited to a total of 250 mmBTU/hr gross heat input. This is equivalent to 160,000 lbs/hr of steam production as averaged over any consecutive 24-hour period at 850 degrees F and 695 PSIG assuming a boiler effiency of 68% and boiler feedwater temperature of 340°F.

VIII. Applicable Operational and Emission Limitations (continued):

[3] The limit for lead is 60 ppm due to modeling violations predicted with the 100 ppm level allowed in the specification used oil criteria in the DES Waste Management Rules.

To operationally control CO emissions in accordance with Env-A 305, Bridgewater shall comply with the following operational limitations.

Bridgewater shall control CO emissions by varying the total quantity of input combustion air and/or the local distribution of that air into the EU1 - Boiler. The amount of combustion air required to optimize the EU1 - Boiler efficiency and reduce CO emissions is dependent on the wood moisture content and the type of wood, among other factors. The steam generating unit shall be equipped with a fuel distribution, overfire air and undergrate air control systems for optimum NO_x and CO emission control.

B. State-Only Applicable Emission Limitations

1. In accordance with Env-A 1002.03, Bridgewater shall take precautions to prevent, abate and control the emission of fugitive dust for those activities contained in Env-A 1002.02. Such precautions shall include wetting, covering, shielding or vacuuming.

2. New or modified devices, new or modified area sources, and existing devices or area sources for which new applications for permits are filed that have the potential to emit, in any amount, substances that meet the criteria of Env-A 1301 shall be subject to Env-A 1300, until such time as the Env-A 1400 requirements supersede the Env-A 1300 requirements.

3. Air quality impact analysis of devices and area sources emitting substances meeting the criteria of Env-A 1301 shall be performed in accordance with the "DES Policy and Procedure for Air Quality Impact Modeling" or other comparable dispersion modeling methods approved by EPA.

4. In accordance with Env-A 1403.01, new or modified devices or processes installed after May 8, 1998, shall be subject to the requirements of Env-A 1400.

5. In accordance with 1403.02(a), all existing unmodified devices or processes which are in operation during the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with either Env-A 1300 or Env-A 1400.

6. In accordance with Env-A 1403.02(b), all existing devices or processes in operation after the transition period ending three years from May 8, 1998 (May 8, 2001), shall comply with Env-A 1400. Env-A 1300 will no longer be in effect.

7. In accordance with Env-A 1404.01(d), documentation for the demonstration of compliance shall be retained at the site, and shall be made available to the DES for inspection.

VIII. Applicable Operational and Emission Limitations (continued):

8. In accordance with Env-A 1405.02, the owner of an existing device or process requiring a permit modification under Env-A 1400 shall submit to the DES no later than one year prior to the end of the transition period (by May 8, 2000), an application for a modification to a Title V permit in accordance with Env-A 609.18, and a request to the DES to perform air dispersion modeling.

9. In accordance with Env-A 2003.04 (d), exceedances of the opacity standard shall not be considered violations of this part if the facility demonstrates to the division that such exceedances were the result of the adherence to good boiler operating practices which, in the long term, results in the most efficient or safe operation of the boiler.

10. In accordance with Env-A 2003.04 (e)(2), opacity exceedances experienced during periods of cold startup of a boiler over a continuous period of time resulting in efficient heat-up and stabilization of its operation and the expeditious achievement of normal operation of the unit shall not be considered violations.

11. In accordance with Env-A 2003.04 (f), exceedances of the opacity standard shall not be considered violations of this part if the source demonstrates to the DES that such exceedances were the result of the occurrence of an unplanned incident in which the opacity exceedance was beyond the control of the operator and in response to such an incident, the operator took appropriate steps in conformance with good boiler operating practice to eliminate the excess opacity as quickly as possible.

C. Federally Enforceable Emission Limitations

1. To allow for an exemption of Bridgewater from the NO_x emission limitation in 40 CFR 60, Subpart Db, the maximum consumption of #2 fuel oil and specification used oil combined by the EU1 - Boiler at maximum 0.4% sulfur by weight shall be limited to 1,564,000 gallons during any consecutive twelve month period with no more than 128,600 gallons used during any consecutive 30-day period with a nitrogen content of 0.30 weight percent or less. The maximum gross heat input rate of #2 fuel oil or specification used oil at maximum 0.4% sulfur by weight to the EU1 - Boiler shall be limited to 25 mmBTU/hr. This is equivalent to 179 gallons per hour on an annual average of #2 fuel oil or specification used oil based on a heating value of 140,000 BTUs/gallon.

2. In accordance with Env-A 1211.02(j)(1 and 2), EU2-EG shall be limited to less than 500 hours of operation during any consecutive 12-month period and the combined theoretical potential emissions of NO_x from all such generators are limited to less than 25 tons for any consecutive 12-month period.

3. In accordance with Env-A 1211.04(d) and Env-A 1211.05(d)(5), the EU1 - Boiler, firing wood fuel or capable of firing a combination of wood fuel and oil and equipped with a vibrating grate, shall comply with the oxides of nitrogen (NO_x) Reasonably Available Control Technology (RACT) emission limit of 0.33 pounds per million BTU

VIII. <u>Applicable Operational and Emission Limitations (continued):</u>

(lb/mmBTU), based on a 24-hour calendar day average.

4. In accordance with Env-A 1604.01(a), the sulfur content of No. 2 oil, specification used oil and off-road diesel oil shall not exceed 0.40 percent sulfur by weight.

5. In accordance with Env-A 2003.02 and 40 CFR Part 60, Subpart Db, Bridgewater shall not cause or allow average opacity from fuel burning devices installed after May 13, 1970 in excess of 20 percent for any continuous 6-minute period in any 60-minute period, except for one of the following exemptions in accordance with Env-A 2003.04(a):

   a. During periods of startup, shutdown and malfunction, average opacity shall be allowed to be in excess of 20 percent for one period of 6 continuous minutes in any 60 minute period; **or**

   b. During periods of normal operation, soot blowing, grate cleaning, and cleaning of fires, average opacity shall be allowed to be in excess of 20 percent but not more than 27 percent for one period of 6 continuous minutes in any 60 minute period.

5. To avoid the requirements of the federal Prevention of Significant Deterioration (PSD) regulation 40 CFR 52.21(b)(1)(i)(*b*), the NO_x emission rate for the EU1 - Boiler shall be limited to 57.0 pounds per hour (lbs/hr) average for any consecutive 365-day period. Compliance with this emission limit shall be demonstrated using the NO_x CEM data.

6. To avoid the requirements of the federal PSD regulation 40 CFR 52.21(b)(1)(i)(*b*), the carbon monoxide (CO) emission rate for the EU1 - Boiler shall be limited to 57.0 lbs/hr average for any consecutive 365-day period. Continuous Emission Monitoring (CEM) requirements are described in Section X.B. of this permit.

7. In accordance with RSA 125-C:6, RSA 125-C:11 and Env-A 606.04, the carbon monoxide (CO) emission rate for the EU1 - Boiler shall be limited to 125 lbs/hr for each calendar day average as calculated on the CEM system or using the calculation shown in Section X.B.6. of this permit.

8. In accordance with 40 CFR Part 60, Subpart Db, the PM emission rate for the EU1 - Boiler shall be limited to 0.10 lb/mmBTU heat input.

IX. Emission Reductions Trading Requirements:

The Permittee did not request emissions reductions trading in the facility operating permit application. At the time of this permit preparation, DES did not included any permit terms authorizing emissions trading in this permit. All emissions reductions trading must be authorized under the applicable requirements of either Env-A 3000 (the "Emissions Reductions Credits (or ERCs) Trading Program") or Env-A-3100 (the "Discrete Emissions Reductions (or DERs) Trading Program) and 42 U.S.C. §7401 et seq. (The "Act"), and must be provided for in this Permit."

X. Compliance Demonstration Requirements:

The permittee is subject to the monitoring/testing, record keeping and reporting requirements as contained in the following permit sections. Refer to the standard operating practices and the manufacturer's O&M manual for additional information. The pollution control equipment and EU1 - Boiler shall be monitored and maintained in accordance with the appropriate manufacturers' O&M manuals.

A. Monitoring/Testing Requirements for Total Suspended Particulate Controls (Regulatory cite - Env-A 806.01(a) and 40 CFR Part 70.6(a)(3))

1. PC1 - Multiclone - Monitoring and Testing Requirements

The PC1-Multiclone shall be operated in series with the PC2-GBF unit.

a. Conduct monitoring of pressure differential across the PC1 - Multiclone unit every two hours. An acceptable pressure differential shall be in accordance with standard operating practices and manufacturer's recommended operating parameters and shall be maintained between 2" and 5" of water column. Pressure differential readings shall be recorded on standard forms and kept on file at the facility for review by the DES upon request. The standard forms shall include the acceptable operating parameters for quick reference by facility personnel.

b. Facility personnel shall conduct a daily inspection for visible emissions of the PC1 - Multiclone unit to observe leaks using EPA Method 22, 40 CFR Part 60, Appendix A. If a leak(s) is observed, facility personnel shall take immediate steps to repair the leak. Daily observations, maintenance and repairs performed to the unit shall be recorded in the log book.

c. During down-time maintenance periods, facility personnel shall inspect inlet and outlet vanes and boots for any build up of caked dust. All caked dust shall be removed during each down-time maintenance period.

d. Observations of operating parameters outside of the standard operating practices included in this permit shall be recorded, investigated and corrected immediately. If this results in a permit limit exceedance, Bridgewater personnel shall contact DES within 8 hours in accordance with Section XXX of this permit.

X. Compliance Demonstration Requirements (continued):

2. PC2 - GBF - Monitoring and Testing Requirements

The PC2-GBF is used to control particulate matter emissions. The particulate removal section of the PC2-GBF shall be blown by a rotary blower to the reverse pulse jet baghouse. Bridgewater has been able to maintain compliance with particulate emission standards without operating the electrostatic grid. If the compliance status changes, Bridgewater will initiate use of the electrostatic grid to comply with the applicable particulate emission standards.

a. Bi-Hourly Monitoring/Testing Requirements

In accordance with the Bridgewater's O&M manual and standard operating practices for this equipment, on a bi-hourly basis, facility personnel shall:

i. Check and record the pressure on the PC2 - GBF differential pressure gauge. The differential pressure across the PC2-GBF shall be maintained between 2" and 12" of water column. Lift blower discharge pressure shall be maintained between 2 and 6 psig.

ii. Check and record the purge air flow pressure. Purge air discharge flow pressure shall be maintained between 2 and 5 psig.

iii. Check and record the purge air temperature. Purge air temperature shall be maintained between 150^{o}F and 350^{o}F, with the optimal temperature being 250^{o}F.

iv. The facility operator shall respond to all equipment alarms immediately.

v. Check and record, if in operation, the voltage on the PC2 - GBF voltmeters. The PC2 - GBF voltage shall be maintained, when in operation, between 20 to 30 KV.

vi. Check and record, if in operation, the PC2 - GBF current amperage on the PC2 - GBF ammeters. The PC2 - GBF amperage, when in operation, shall be maintained between 200 and 400 milliamps.

vii. Bi-hourly monitoring data shall be recorded daily on standard forms and kept on file at the facility for review by the DES upon request. The standard forms shall include the acceptable operating parameters for quick reference by facility personnel.

viii. Observations of operating parameters outside of the standard operating practices included in this permit shall be recorded, investigated and corrected immediately. If this results in a permit limit exceedance,

X. Compliance Demonstration Requirements (continued):

Bridgewater personnel shall contact DES within 8 hours in accordance with Section XXX of this permit.

b. Daily Monitoring/Testing Requirements

i. The PC2-GBF shall be inspected at least once each shift. The casing, piping and ducts shall be inspected for leaks, abnormal noise, hot spots and fires. Local instrumentation shall be monitored for normal values. Blower bearings shall be checked for normal temperature and vibration. The local control panel shall be monitored for proper indication of normal values and alarms.

ii. Observations of operating parameters outside of the standard operating practices included in this permit shall be recorded, investigated and corrected immediately. If this results in a permit limit exceedance, Bridgewater personnel shall contact DES within 8 hours in accordance with Section XXX of this permit.

3. PC3 - Baghouse - Monitoring and Testing Requirements

a. Bi-Hourly Monitoring/Testing Requirements

i In accordance with the manufacturer's O&M manual for the PC3-Baghouse, facility personnel shall check and record the pressure on the PC3-Baghouse differential pressure gauge on a bi-hourly basis. The differential pressure shall be maintained between 2" and 6" of water. In the event of a bag failure, particulate matter can be by-passed back to the furnace until repairs are made.

ii. Bi-hourly monitoring data shall be recorded daily on standard forms and kept on file at the facility for review by the DES upon request. The standard forms shall include the acceptable operating parameters for quick reference by facility personnel.

b. Daily Monitoring/Testing Requirements

i. Bridgewater shall conduct daily visual inspections of the baghouse emissions in accordance with 40 CFR Part 60 Appendix A Method 22.

ii. Check and record any abnormal operation conditions of the rotary valve or ash removal auger. These parameters are continually monitored through the plant's PLC and an annunciator is initiated upon fault.

X. Compliance Demonstration Requirements (continued):

iii. Check and record the pressure on the pulse air pressure gauge, located at the pulse air inlet manifold. The pressure shall be maintained between 60 to 110 psi.

iv. Daily monitoring data shall be recorded daily on standard forms and kept on file at the facility for review by the DES upon request. The standard forms shall include the acceptable operating parameters for quick reference by facility personnel.

v. Observations of operating parameters outside of the standard operating practices included in this permit shall be recorded, investigated and corrected immediately. If this results in a permit limit exceedance, Bridgewater personnel shall contact DES within 8 hours in accordance with Section XXX of this permit.

4. Stack Testing Requirements

At such times as specified by the DES, Bridgewater shall conduct USEPA method compliance stack test for emissions at maximum production rate conditions, and/or at the request of the DES, at any other production rate at which maximum emissions might occur.

If requested, the emissions stack test shall be conducted in accordance with 40 CFR Part 60, Sections 60.8(a), (b), (d), (e) and (f), Appendix A and the DES' policy "Procedures and Minimum Requirements for Stack Tests".

Compliance testing shall be planned and carried out in accordance with the following schedule. If requested by the DES or if the testing protocol currently used changes, Bridgewater shall submit to the DES, at least 30 days prior to the commencement of testing, a pretest report presenting the following information:

a. Calibration methods and sample data sheets;

b. Description of the test methods to be used;

c. Pre-test preparation procedures;

d. Sample collection and analysis methods;

e. Process data to be collected; and

f. Complete test program description.

X. Compliance Demonstration Requirements (continued):

If requested by DES or if the current testing protocol is changed, at least 15 days prior to the test date, Bridgewater, and any contractor that Bridgewater retains for performance of the test, shall participate in a pretest conference with a DES representative. Emission testing shall be carried out under the observation of a DES representative. Within 60 days after completion of testing, Bridgewater shall submit a test report to the DES.

Any compliance stack test results determined following 40 CFR Part 60 paragraph 60.8, which show violations of the emission limitations shall be considered violations of this permit.

5. Stack Inspections

In accordance with 40 CFR 70.6(a)(3), Bridgewater shall conduct annual visual inspections of each stack and fuel burning device. Records of inspections and subsequent maintenance conducted as a result of the annual inspections shall be kept on file at the facility for review by the DES and/or EPA upon request.

B. CEM Monitoring/Testing Requirements
(Regulatory Cite - Env-A 805.02 and 40 CFR Part 70.6(a)(3))

Bridgewater shall install, maintain and operate the following CEM systems in the EU1-Boiler exhaust piping.

1. Opacity CEM

The opacity CEM system shall meet the requirements of 40 CFR Part 60, Appendix B, Performance Specification 1 and Env-A 805. Determination of compliance with the opacity limits established in Section VIII.C. of this permit shall be made by the plant opacity CEM or visible emission readings taken once per shift following the procedures specified in 40 CFR Part 60, Appendix A, Method 9. Calculations shall be performed as specified in Section X.B.6. of this permit.

2. NO_x CEM

The NO_x CEM shall meet the requirements of 40 CFR Part 60, Appendix B , Performance Specification 2 and Env-A 805. Determination of compliance with the NO_x emission limits established in Section VIII.C. of this permit shall be made by the plant NO_x CEM. The NO_x emission rate shall be calculated daily as the average of the calendar day averages as calculated on the plant NO_x CEM. Calculations shall be performed as specified in Section X.B.6. of this permit.

X. Compliance Demonstration Requirements (continued):

3. CO CEM

The CO CEM system shall meet the requirements of 40 CFR Part 60, Appendix B, Performance Specification 4 and Env-A 805. Determination of compliance with the CO emission limits established in Section VIII.C. of this permit shall be made by the plant CO CEM. The CO emission rate shall be calculated daily as the average of the calendar day averages as calculated on the plant CO CEM. Calculations shall be performed as specified in Section X.B.6. of this permit.

4. Oxygen (O_2) CEM

The O_2 CEM system shall meet the requirements of 40 CFR Part 60, Appendix B, Performance Specification 3 and Env-A 805.

5. Volumetric Flow CEM

The stack volumetric flow measuring device which shall meet all of the requirements of 40 CFR Part 60, Appendix B, Performance Specification 6. The stack flow monitor shall have an automatic blow-back purge system installed and activated during all times of boiler operation. The stack volumetric flow measuring device combined with the concentration CEM equipment for CO and NO_x shall be used to calculate mass emission rates for comparison with the emission standard specified in permit condition VIII.C. The stack volumetric flow monitor shall also meet the following requirements:

a. All differential pressure flow monitors shall have an automatic blow-back purge system installed and in wet stack emissions shall have the capability for drainage of the sensing lines.

b. The stack flow monitoring system shall have the capability for on-line manual transducer calibration and for a zero check.

c. The stack flow monitoring system shall be capable of displaying the individual parameters used in the stack flow calculation. For example, a differential pressure monitoring system shall be able to display instantaneous values of differential pressure, stack temperature, and relevant constants used in the calculation which reflect the static pressure assumed, gas molecular weight assumed and the pitot tube coefficient utilized.

6. Calculations:

a. CEM calendar day averages shall be calculated as follows:

i. Calendar Day average = (sum of all valid hour lb/hr averages for the calendar day)/(24 - hours of CEM system downtime for the day);

X. Compliance Demonstration Requirements (continued):

ii. Calendar day averages shall only be valid for days with 18 or more valid hours of CEM data;

iii. A valid hour of CEM data shall be defined as a minimum of 45 minutes collection of CEM readings taken in a calendar hour; and

iv. Hours of CEM system downtime shall be defined as the number of calendar hours when the CEM system has not collected data or is out-of-control for greater than 15 minutes for any reason (i.e. audits, CEM system calibration, CEM system failures, etc.)

b. CEM consecutive 365-day averages shall be calculated as follows:

i. Consecutive 365-day average = (sum of all valid calendar day averages for the 365-day period)/(365 - days of CEM system downtime); and

ii. Days of CEM system downtime shall be defined as the number of calendar days when the CEM system has collected less than 18 valid hours of CEM data.

c. Hours or days when the CEM system has been intentionally shutdown when the facility is not operating shall not be counted as CEM system downtime.

7. Bridgewater shall be subject to all of the CEM requirements of Env-A 805 which shall include but not be limited to: quarterly audit requirements, excess emission report requirements, quality control written procedure requirements for gaseous CEM monitors and record keeping requirements. The specific record keeping and reporting requirements are described in Section X.D. and X.E. of this permit.

8. Bridgewater shall continuously monitor and record data from the gaseous CEM system during all periods of operation, including periods of startup, shutdown, malfunctions or emergency conditions, except when the stack flow is less than 13,100 dry SCFM (17,500 wet SCFM). The opacity CEM shall be continuously monitoring and recording data during all periods of operation, regardless of the stack flow rate.

9. Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limit for purposes of this permit, except where Bridgewater can adequately demonstrate to the DES that the recorded exceedance resulted from a CEM malfunction.

10. Bridgewater shall install, maintain and operate a continuous steam flow rate monitoring/recording system which shall meet all applicable ASME specifications. Calibration of the steam flow transducer shall occur at least once annually. If adequate straight length of piping is not available, then in lieu of a measuring system that meets

X. Compliance Demonstration Requirements (continued):

ASME specifications, Bridgewater may use a steam flow rate monitoring system that can be calibrated by instruments installed, maintained and calibrated per ASME specifications or by other methods approved by the DES.

C. Compliance Demonstration Requirements for the EU2 - Cooling Pond - State Enforceable Only

1. In accordance with Env-A 1400, prior to changing cooling water treatment chemicals, Bridgewater shall evaluate the impact of the proposed chemicals on the 24-hour and annual deminimus limits of the DES Air Toxics List. If the impact exceeds the deminimus 24-hour or annual levels, Bridgewater shall notify DES in writing of the proposed chemical changes. Written approval from DES shall be received prior to making the chemical change, if the deminimus levels are exceeded. If the impact does not exceed the deminimus levels, Bridgewater may make the chemical change and shall keep the records of the impact analysis in the facility files in accordance with the recordkeeping requirements of Section X.D. of this permit.

2. The following equations shall be used to evaluate the impact of cooling water chemicals on the 24-hour and annual deminimus levels. This equation shall be used for each chemical used in the cooling water that is included on the DES Air Toxics List. Also, this equation shall be used to estimate particulate emissions from both chemical additives to the water and total dissolved solids contained in the water for emission-based fees as described in Section XXV. of this permit.

24-hour Emissions (lb/hr) = (DR)*(Hourly CR)*(8.34 lb/gal)*(C)

Example Calculation: 24-hour emissions of total dissolved solids (TDS) (lb/hr)

$$= \frac{(0.000012 \text{ gal/gal})*(948{,}000 \text{ gal/hr})*(8.34 \text{ lb/gal})*(3600 \text{ ppmw TDS})}{1x10^6}$$

= 0.342 lb/hr TDS

Annualized Emissions (lb/yr) = (24-hour Emissions, lb/hr)*(Operating hours/year)

Example Calculation: Annualized emissions of TDS (lb/yr) = (0.342 lb/hr)*(8760 hrs/yr)

= 2,992 lbs/yr TDS

Where: DR = drift rate for pond (based on manufacturer's data for facility pond), gal drift/gal circulation water (0.000009474 gal/gal - 0.00001636 gal/gal)
Hourly CR = water circulation rate, gal/hr

X. Compliance Demonstration Requirements (continued):

C = concentration of chemical of interest (or total dissolved solids concentration) in circulation water, ppmw (use maximum potential concentration for deminimus impact evaluation and average or actual data for emission-based fee calculations).

D. Record Keeping Requirements

1. In accordance with 40 CFR Part 70.6(a)(3)(ii)(B), Bridgewater shall retain records of all required monitoring data, record keeping and reporting requirements and support information for a period of at least 5 years from the date of the origination. These data and reports shall not be discarded, removed or destroyed thereafter without the express written approval of the director in accordance with Env-A 901.11.

2. In accordance with 40 CFR 70.6(c)(5), Bridgewater shall meet the requirements for compliance certification with terms and conditions contained in this permit, including emission limitations, standards, or work practices. Compliance certifications shall meet the requirements outlined in Section XXIII of this permit.

3. Pursuant to Env-A 901.03, for each fuel burning device at the facility, the owner or operator shall keep records on fuel utilization in accordance with the following:

   a. Monthly records of liquid fuel utilization for each fuel burning device at the facility shall include:

      i. consumption of each fuel type per calendar month and a consecutive 12-month total;

      ii. fuel type;

      iii. viscosity;

      iv. sulfur content as percent sulfur by weight of fuel; and

      v. BTU content per gallon of fuel.

   b. Delivery tickets from each fuel oil supplier for each shipment of fuel oil received shall be kept on file in a form suitable for inspection and shall be made available to the DES and/or EPA upon request. Each delivery ticket shall indicate the name, address and telephone number of the fuel oil supplier, the quantity of fuel oil delivered, and the percent sulfur by weight of the fuel oil being delivered. If delivery tickets do not contain sulfur content of fuel being delivered, Bridgewater shall perform testing in accordance with appropriate ASTM test methods to determine compliance with the sulfur content limitation provisions in Env-A 1604.01(a) and 1604.01(c)2 for liquid fuels.

X. Compliance Demonstration Requirements (continued):

c. Records shall be kept of hours of operation corresponding to the utilization and distribution of all fuels.

4. NO_x Record Keeping Requirements

In accordance with Env-A 901.08, for each fuel burning device, including boilers, turbines and internal combustion engines, the following information shall be recorded and maintained:

a. Facility information, including:

i. Source name;

ii. Source identification;

iii. Physical address;

iv. Mailing address;

v. Date of origination for reports;

vi. Facility contact and title;

vii. Facility telephone number;

b. Identification of each fuel burning device at the facility.

c. Operating schedule information for each identified fuel burning device, including:

i. days per calendar week during the normal operating schedule

ii. Hours per day during the normal operating schedule and for a typical ozone season day, if different from the normal operating schedule

iii. Hours per year during the normal operating schedule.

d. Type and amount of fuel or waste burned, for each fuel burning device, during normal operating conditions and for a typical ozone season day[4], if different from normal operating conditions, on an hourly basis in mmBTU/hr.

[4] Typical ozone season day is defined as any day between May and October.

X. Compliance Demonstration Requirements (continued):

e. The following NO_x emission data, including records of total annual emissions, in tons per year (tpy), and typical ozone season day emissions, in pounds per day (lbs/day), shall be maintained at the facility for a minimum of 4 years:

i. Theoretical potential emissions for the calculation year for each fuel burning device; and

ii. Actual NO_x emissions for each fuel burning device.

E. Reporting Requirements

1. In accordance with Env-A 901.09(b), NO_x emission data for all facility fuel burning devices shall be reported to the DES annually by April 15 of the following year. The NO_x emissions shall be collected from the CEM data.

2. Malfunction Reporting

In accordance with Env-A 902.02 and 40 CFR Part 70.6(a)(3)(iii)(B), the owner or operator shall notify the DES of a malfunction or breakdown of air pollution control equipment within 8 hours of each such occurrence, as described in Section XXX of this permit.

3. Fuel Usage Reporting

In accordance with Env-A 901.08(c), monthly fuel usage information, by device, fuel type, and sulfur content shall be submitted in writing to the DES on a quarterly basis within 30 days after the end of the quarter for which reporting is required.

4. Excess Emission Reporting

In accordance with Env-A 805, within 30 days following the close of each calendar quarter, Bridgewater shall submit to the DES excess emission reports for the CEM systems and the EU1 - Boiler as approved by the DES containing information specified in Env-A 805 as well as the following information:

a. Calendar daily averages of NO_x and CO lb/hr and part per million (ppm) dry whether or not an excess emission has occurred;

b. Calendar daily averages of percentage oxygen (O_2) on a dry basis;

c. Calendar daily averages of steam generation rate;

d. Calendar daily averages of stack flow (dscfm);

X. Compliance Demonstration Requirements (continued):

e. Average steam production rate for each consecutive 24-hour period where the production rate exceeds any of the limits set forth in Section VIII.C. of this permit;

f. CEM system availability data;

g. Estimated amount in tons (wet basis) of wood chips consumption per month and a consecutive twelve month total;

h. Amount in gallons of #2 fuel oil and specification used oil consumption per calendar month where the fuel usage cap set forth in Section VIII.C.1 of this permit has been exceeded.

i. All periods of gaseous and opacity exceedances including start time, end time and magnitude and the cause of the exceedance.

5. CEM Audit Reporting

Within 30 days following the close of each calendar quarter, Bridgewater shall submit to the DES, a CEM audit report for all audits conducted as specified in Env-A 805.06 and Section X.B. of this permit.

6. In accordance with 40 CFR 70.6(a)(3)(iii)(A), a summary report of monitoring and testing requirements shall be submitted every six months. Semi-annual reports shall be submitted no later than July 31 for the January through June report and no later than January 31 for the July through December report. All instances of deviations from permit requirements shall be clearly identified in such reports. All required reports shall be certified for accuracy by a responsible official consistent with 40 CFR 70.5(d). This certification and any other certification required under this part shall include the certification of accuracy statement included in Section XXIII.B. of this permit.

The report shall contain a summary of the following information:

a. Monitoring and preventive maintenance results for PC1 through PC3.

b. Preventive maintenance and inspection results for EU1-Boiler and related stacks and EU3-EG.

c. All instances of deviations from permit requirements shall be clearly identified.

7. Annual reporting and payment of emission based fees shall be conducted in accordance with Section XXV of this Permit.

X. Compliance Demonstration Requirements (continued):

8. An annual compliance certification as presented in Section XXIII of this Permit shall be submitted to DES and USEPA by April 15 following each reporting year.

9. Pursuant to 40 CFR Part 70.6 (c)(1), all documents submitted to the DES and/or EPA shall contain certification by the responsible official of truth, accuracy, and completeness as described in Section XXIII.B. of this permit.

IX. Requirements Currently Not Applicable:

The Permitee did not identify any requirements not currently applicable to the facility**.**

General Title V Operating Permit Conditions

X. Issuance of a Title V Operating Permit:

A. This Permit is issued in accordance with the provisions of Part Env-A 609. In accordance with 40 CFR 70.6(a)(2) this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

B. Pursuant to Env-A 609.02(b), this Permit shall be a state permit to operate as defined in RSA 125-C:11, III.

XI. Title V Operating Permit Renewal Procedures:

Pursuant to Env-A 609.06(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

XII. Application Shield:

Pursuant to Env-A 609.07, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield:

A. Pursuant to Env-A 609.08(a), a permit shield shall provide that:

1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and

2. For any potential applicable requirement or any potential state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically identified in this TitleV Operating Permit Section IX Table 8 as not applicable to the stationary source or area source, the Permittee need not comply with the specifically identified federal or state requirements.

B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions

incorporated into this Permit in accordance with the provisions of Env-A 609.08(b). It shall not apply to certain conditions as specified in Env-A 609.08(c) that may be incorporated into this Permit following permit issuance by DES.

C. If a Title V Operating Permit and amendments there to issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the NH Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.

D. If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.

E. Pursuant to Env-A 609.08(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.18 or to exercise its summary abatement authority.

F. Pursuant to Env-A 609.08(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:

1. The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;

2. The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;

3. The provisions of section 303 of the Act regarding emergency orders including the authority of the EPA Administrator under that section;

4. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

5. The applicable requirements of the acid rain program, consistent with section 408(a) of the Act;

6. The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the Act; or

7. The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause:

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.18(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.18(b) through (g).

XV. Administrative Permit Amendments:

A. Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Part Env-A 100 immediately upon submittal of the request.

B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility:

A. Pursuant to Env-A 612.02(a), the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions under this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V Operating Permit, provided that all the conditions are met as specified in section XVI. A. 1. through 7. of this permit and a notice is submitted to the DES and EPA describing the intended changes. At this point, DES has not included any permit terms authorizing emissions trading in this permit.

1. The change is not a modification under any provision of title I of the Act;

2. The change does not cause emissions to exceed the emissions allowable under the title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;

3. The owner or operator has obtained any temporary permit required by Env-A 600;

4. The owner or operator has provided written notification to the director and administrator at least 15 days prior to the proposed change and such written notification includes:

    a. The date on which each proposed change will occur;

    b. A description of each such change;

    c. Any change in emissions that will result and how this change in emissions will comply with the terms and conditions of the permit;

    d. A written request that the operational flexibility procedures be used; and

    e. The signature of the responsible official, consistent with Env-A 605.04(b);

5. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;

6. The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements; and

7. The proposed change complies with Env-A 612.02 (e).

B. Pursuant to Env-A 612.02(c), the Permittee subject to and operating under this Title V Operating Permit may make changes not addressed or prohibited by this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application, provided that all the conditions specified in Env-A 612.02(c)(1) through (6) are met and a notice is submitted to the DES and EPA describing the intended changes.

C. Pursuant to Env-A 612.02(d), the Permittee, Operator, Director and Administrator shall attach each notice of an off-permit change completed in accordance with Section XVI of this Title V Operating Permit to their copy of the current Title V Operating Permit.

D. Pursuant to Env-A 612.02(e), any change under Section XVI shall not exceed any emissions limitations established under the NH Rules Governing the Control of Air Pollution, or result in an increase in emissions, or result in new emissions, of any toxic air pollutant or hazardous air pollutant other than those listed in the existing Permit.

E. Pursuant to Env-A 612.02(f), the off-permit change shall not qualify for the permit shield under Env-A 609.08.

XVII. Minor Permit Amendments:

A. Pursuant to Env-A 612.04 prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.04(b).

B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.04(c) through (g).

C. Pursuant to Env-A 612.04(g), the permit shield specified in Env-A 609.08 shall not apply to minor permit amendments under Section XVII. of this Permit.

D. Pursuant to Env-A 612.04(i), the Permittee shall be subject to the provisions of Part Env-A 614 and Part Env-A 615 if the change is made prior to the filing with the Director a request for a minor permit amendment.

XVIII. Significant Permit Amendments:

A. Pursuant to Env-A 612.05, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.05(a)(1) through (7).

B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.05(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of Env-A 614 and Env-A 615 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.

C. The Director shall take final action on the significant permit amendment in accordance with the procedures specified in Env-A 612.05(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification:

A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:

1. the Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or

2. that the emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.

B. The Director shall nullify any Permit, if following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry:

Pursuant to Env-A 614.01, EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6,VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the NH Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications:

A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify, for the previous calender year, that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to the DES and to the U.S. Environmental Protection Agency - New England Region**.** The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

1. The terms and conditions of the Permit that are the basis of the certification;

2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether the method was continuous or intermittent during the reporting period;

3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and

4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification of accuracy statement by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address;

New Hampshire Department of Environmental Services
Air Resources Division
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN: Compliance Bureau

All reports submitted to EPA shall be submitted to the following address;

Office of Environmental Stewardship
Director Air Compliance Program
United States Environmental Protection Agency
1 Congress Street
Suite 1100 (SEA)
Boston, MA 02114-2023
ATTN: Air Compliance Clerk

XXII. Enforcement:

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii) a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

XXIII. Emission-Based Fee Requirements:

A. The Permittee shall pay an emission-based fee annually for this facility as calculated each calendar year pursuant to Env-A 704.03.

B. The Permittee shall determine the total actual annual emissions from the facility to be included in the emission-based multiplier specified in Env-A 704.03(a) for each calendar year in accordance with the methods specified in Env-A 620.

C. The Permittee shall calculate the annual emission-based fee for each calendar year in accordance with the procedures specified in Env-A 704.03 and the following equation:

$$FEE = E \times DPT \times CPIm \times ISF$$

Where:

FEE = The annual emission-based fee for each calendar year as specified in Env-A 704.
E = The emission-based multiplier is based on the calculation of total annual emissions as specified in Env-A 704.02 and the provisions specified in Env-A 704.03(a).

DPT = The dollar per ton fee the DES has specified in Env-A 704.03(b).
CPIm= The Consumer Price Index Multiplier as calculated in Env-A 704.03(c).
ISF = The Inventory Stabilization Factor as specified in Env-A 704.03(d).

D. The Permittee shall contact the DES each calendar year for the value of the Inventory Stabilization Factor.

E. The Permittee shall contact the DES each calendar year for the value of the Consumer Price Index Multiplier.

F. The Permittee shall submit, to the DES, payment of the emission-based fee and a summary of the calculations referenced in Sections XXIII.B. and C of this Permit for each calendar year by October 15th of the following calendar year in accordance with Env-A 704.04. The emission-based fee and summary of the calculations shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
6 Hazen Drive
P.O. Box 0095
Concord, NH 03302-0095
ATTN.: Emissions Inventory

G. The DES shall notify the Permittee of any under payments or over payments of the annual emission-based fee in accordance with Env-A 704.05.

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Part Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Part Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based[5] emission limitations specified in this Permit as a result of an emergency[6]. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;

B. The permitted facility was at the time being properly operated;

C. During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and

D. The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

XXVIII. Permit Deviation

In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone or fax, within 8 hours of discovery of such deviation pursuant to Env-A 902.02. This report shall include the deviation itself, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and any corrective actions or preventative measures taken. Said Permit deviation shall also be submitted in writing to the DES within fifteen (15) days of documentation of the deviation by facility personnel. Deviations are instances where any Permit condition is violated and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance.

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[5] Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

[6] An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.